

Capito	Johnson, Sam	Platts	[Roll No. 285]	Deal (GA)	Lamborn	Radanovich
Carter	Jones	Poe (TX)		Dent	Lance	Rehberg
Cassidy	Jordan (OH)	Posey	YEAS—234	Diaz-Balart, L.	Latham	Reichert
Castle	King (IA)	Price (GA)		Diaz-Balart, M.	Latta	Roe (TN)
Chaffetz	King (NY)	Putnam		Dreier	Lee (NY)	Rogers (AL)
Coble	Kingston	Radanovich		Duncan	Lewis (CA)	Rogers (KY)
Coffman (CO)	Kirk	Rehberg	Abercrombie	Ehlers	Linder	Rogers (MI)
Cole	Kline (MN)	Reichert	Ackerman	Emerson	LoBiondo	Rohrabacher
Conaway	Lamborn	Roe (TN)	Adler (NJ)	Fallin	Lucas	Ros-Lehtinen
Crenshaw	Lance	Rogers (AL)	Altmiere	Fleming	Luetkemeyer	Roskam
Culberson	Latham	Rogers (KY)	Andrews	Forbes	Lummis	Royce
Davis (KY)	LaTourette	Rogers (MI)	Arcuri	Fortenberry	Lungren, Daniel	Ryan (WI)
Deal (GA)	Latta	Rohrabacher	Baca	Fox	E.	Scalise
Dent	Lee (NY)	Ros-Lehtinen	Baird	Franks (AZ)	Mack	Schmidt
Diaz-Balart, L.	Lewis (CA)	Roskam	Baldwin	Frelinghuysen	Manzullo	Sensenbrenner
Diaz-Balart, M.	Linder	Royce	Barrow	Gallegly	Marchant	Sessions
Dreier	LoBiondo	Ryan (WI)	Bean	Garrett (NJ)	McCarthy (CA)	Sestak
Duncan	Lucas	Schmidt	Becerra	Gerlach	McCaul	Shadegg
Ehlers	Luetkemeyer	Schock	Berkley	Gingrey (GA)	McClintock	Shimkus
Emerson	Lummis	Sensenbrenner	Berman	Gohmert	McCotter	Shuler
Fallin	Lungren, Daniel	Sessions	Berry	Granger	McHenry	Shuster
Fleming	E.	Sestak	Bishop (GA)	Graves	McKeon	Simpson
Forbes	Mack	Shadegg	Bishop (NY)	Guthrie	McMorris	Smith (NE)
Fortenberry	Manzullo	Shimkus	Hodes	Hall (TX)	Rodgers	Smith (NJ)
Fox	Marchant	Shuster	Holden	Harper	Mica	Smith (TX)
Franks (AZ)	McCarthy (CA)	Simpson	Holt	Hastings (WA)	Miller (FL)	Souder
Frelinghuysen	McCaul	Smith (NE)	Boccieri	Heller	Miller (MI)	Sullivan
Gallegly	McClintock	Smith (NJ)	Boren	Hensarling	Miller, Gary	Tanner
Garrett (NJ)	McCotter	Smith (TX)	Boswell	Herger	Minnick	Terry
Gerlach	McHenry	Souder	Boucher	Hill	Mitchell	Thompson (PA)
Gingrey (GA)	McHugh	Stearns	Boyd	Hoekstra	Moran (KS)	Thornberry
Gohmert	McKeon	Sullivan	Brady (PA)	Hunter	Myrick	Tiahrt
Goodlatte	McMorris	Terry	Braley (IA)	Inglis	Neugebauer	Tiberi
Granger	Rodgers	Thompson (PA)	Brown, Corrine	Issa	Nunes	Turner
Graves	Mica	Thornberry	Butterfield	Jenkins	Olson	Upton
Guthrie	Miller (FL)	Tiahrt	Capps	Johnson (IL)	Paul	Walden
Hall (TX)	Miller (MI)	Tiberi	Capuano	Johnson, Sam	Paulsen	Wamp
Harper	Miller, Gary	Turner	Cardoza	Jones	Pence	Westmoreland
Hastings (WA)	Minnick	Upton	Carnahan	Jordan (OH)	Petri	Whitfield
Heller	Moran (KS)	Walden	Carney	King (IA)	Pitts	Wilson (SC)
Hensarling	Myrick	Wamp	Carson (IN)	King (NY)	Platts	Wittman
Herger	Neugebauer	Nunes	Castor (FL)	Kingston	Poe (TX)	Wolf
Hill	Nunes	Westmoreland	Chandler	Kirk	Posey	Young (AK)
Hoekstra	Olson	Whitfield	Clarke	Kirkpatrick (AZ)	Price (GA)	Young (FL)
Hunter	Paul	Wilson (SC)	Clay	Kline (MN)	Putnam	
Inglis	Paulsen	Wittman	Clyburn			
Issa	Pence	Wolf	Cohen			
Jenkins	Petri	Young (AK)	Connolly (VA)			
Johnson (IL)	Pitts	Young (FL)	Convers			

## NOT VOTING—12

Bachmann	Markey (CO)	Scalise
Barrett (SC)	Murphy, Tim	Speier
Doyle	Rooney	Stark
Flake	Sánchez, Linda	
Kaptur	T.	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SALAZAR) (during the vote). There are 2 minutes remaining in this vote.

□ 1234

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. SCALISE. Mr. Speaker, on rollcall No. 284 I regret that I was unavoidably detained and missed rollcall vote 284 on ordering the Previous Question on the Rule to provide consideration for H.R. 915—FAA Reauthorization Act of 2009. Had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 234, nays 178, not voting 21, as follows:

Abercrombie	Green, Gene	Nadler (NY)
Ackerman	Griffith	Neal (MA)
Adler (NJ)	Grijalva	Nye
Altmire	Gutierrez	Oberstar
Andrews	Hall (NY)	Obey
Arcuri	Halvorson	Olver
Baca	Hare	Ortiz
Baird	Harman	Pallone
Baldwin	Hastings (FL)	Pascarell
Barrow	Heinrich	Pastor (AZ)
Bean	Herseth Sandlin	Payne
Becerra	Higgins	Perlmutter
Berkley	Himes	Perriello
Berman	Hinchee	Peters
Berry	Hinojosa	Peterson
Bishop (GA)	Hirono	Pingree (ME)
Bishop (NY)	Hodes	Polis (CO)
Blumenauer	Holden	Pomeroy
Boccieri	Holt	Price (NC)
Boren	Honda	Quigley
Boswell	Hoyer	Rahall
Boucher	Inslee	Rangel
Boyd	Israel	Reyes
Brady (PA)	Johnson (IL)	Richardson
Braley (IA)	Jackson-Lee	Rodriguez
Brown, Corrine	(TX)	Ross
Butterfield	Johnson (GA)	Rothman (NJ)
Capps	Johnson, E. B.	Roybal-Allard
Capuano	Kagen	Ruppersberger
Cardoza	Kanjorski	Rush
Carnahan	Kennedy	Ryan (OH)
Carney	Kildee	Salazar
Carson (IN)	Kilpatrick (MI)	Sanchez, Loretta
Castor (FL)	Kilroy	Sarbanes
Chandler	Kind	Schakowsky
Clarke	Kissell	Schauer
Clay	Klein (FL)	Schiff
Clyburn	Kosmas	Schrader
Cohen	Kratovil	Schwartz
Connolly (VA)	Kucinich	Scott (GA)
Convers	Langevin	Scott (VA)
Cooper	Larsen (WA)	Serrano
Costa	Larson (CT)	Shea-Porter
Costello	Lee (CA)	Sherman
Courtney	Levin	Sires
Crowley	Lewis (GA)	Skelton
Cuellar	Lipinski	Skelton
Cummings	Loebach	Slaughter
Dahlkemper	Lofgren, Zoe	Snyder
Davis (AL)	Lowe	Space
Davis (CA)	Lujan	Spratt
Davis (TN)	Lynch	Stupak
DeFazio	Maffei	Tauscher
DeGette	Maloney	Taylor
Delahunt	Markley (MA)	Teague
DeLauro	Massa	Thompson (CA)
Dicks	Matheson	Thompson (MS)
Dingell	Matsui	Tierney
Doggett	McCarthy (NY)	Titus
Donnelly (IN)	McCollum	Tonko
Driehaus	McDermott	Towns
Edwards (MD)	McGovern	Tsongas
Edwards (TX)	McIntyre	Van Hollen
Ellison	McMahon	Velázquez
Ellsworth	McNerney	Visclosky
Engel	Meek (FL)	Walz
Eshoo	Meeks (NY)	Wasserman
Etheridge	Melancon	Schultz
Farr	Michaud	Waters
Fattah	Miller (NC)	Watson
Filner	Miller, George	Watt
Foster	Mollohan	Waxman
Frank (MA)	Moore (KS)	Weiner
Fudge	Moore (WI)	Welch
Giffords	Moran (VA)	Wexler
Gonzalez	Murphy (CT)	Wilson (OH)
Gordon (TN)	Murphy (NY)	Woolsey
Grayson	Murphy, Patrick	Wu
Green, Al	Murtha	Yarmuth

## NAYS—178

Aderholt	Bono Mack	Campbell
Akin	Boozman	Cantor
Alexander	Boustany	Cao
Austria	Brady (TX)	Capito
Bachus	Bright	Carter
Bartlett	Brown (GA)	Castle
Barton (TX)	Brown (SC)	Chaffetz
Biggert	Brown-Waite,	Childers
Bilbray	Ginny	Coble
Bilirakis	Buchanan	Coffman (CO)
Bishop (UT)	Burgess	Cole
Blackburn	Burton (IN)	Conaway
Blunt	Buyer	Crenshaw
Boehner	Calvert	Culberson
Bonner	Camp	Davis (KY)

## NOT VOTING—21

Bachmann	LaTourette	Schock
Barrett (SC)	Markey (CO)	Smith (WA)
Cassidy	Marshall	Speier
Cleaver	Murphy, Tim	Stark
Davis (IL)	Napolitano	Stearns
Doyle	Rooney	Sutton
Flake	Sánchez, Linda	
Kaptur	T.	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1241

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. STEARNS. Mr. Speaker, on rollcall No. 285 I was unavoidably detained. Had I been present, I would have voted “nay.”

## CONFERENCE REPORT ON S. 454, WEAPON SYSTEM ACQUISITION REFORM ACT OF 2009

Mr. SKELTON. Mr. Speaker, pursuant to House Resolution 463, I call up the conference report on the bill (S. 454) to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 463, the conference report is considered read.

(For conference report and statement, see proceedings of the House of

Wednesday, May 20, 2009, at page H5795.)

The SPEAKER pro tempore. The gentleman from Missouri (Mr. SKELTON) and the gentleman from New York (Mr. MCHUGH) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

#### GENERAL LEAVE

Mr. SKELTON. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to bring before the House the conference report on S. 454, the Weapon System Acquisition Reform Act of 2009.

Last week, the House overwhelmingly approved H.R. 2101, the House Armed Services Committee's version of the bill, in a vote of 428-0 and sent us to conference with the Senate. Our conference concluded on Tuesday, and I can report that we reached agreement on strong legislation that will reflect well on the Congress as a whole.

Every Member attending the conference committee, House and Senate, on a bipartisan basis signed the conference report, and it passed the Senate last evening on a vote of 95-0.

It's tempting to conclude that a bill so unanimously supported must not do anything. How often are we able to agree unanimously on issues of real substance? However, in this instance, Congress will speak with a single voice and will, at the same time, adopt tough medicine for the acquisitions system.

This bill is landmark legislation, the strongest effort to reform the acquisition of weapons systems since the days of Les Aspin. In fact, I strongly believe this bill will be much more successful than earlier reform efforts. The consensus on this legislation is simply the result of a problem that has become so obvious and so urgent that every Member has concluded that strong action is required.

Too often in our current acquisition system, we end up with too few weapons that cost us too much and arrive too late. GAO tells us that DOD will exceed its original cost estimates on 96 major weapons systems by \$296 billion. That's more than 2 years of pay and health care for all our troops. We can no longer tolerate this state of affairs.

To those who oppose change, the vote yesterday in the Senate and the vote today in the House will send the message that the Congress means business, for maintaining the status quo of indiscipline and inefficiency in acquisition is no longer an option.

Let me briefly summarize the bill's provisions.

It establishes a new director of cost assessment and program evaluation who will ensure that in the future DOD

uses realistic cost estimates as the basis for its decisions. The bill re-establishes a director of developmental test and evaluation who will coordinate closely with the director of systems engineering to ensure that we rebuild the technical expertise to oversee complex weapons programs.

To ensure that the Department follows through on these measures, the bill requires DOD to make an official response for performance assessment. It also assigns additional responsibility to the director of defense research and engineering for assessing technological maturity and to unified combat commanders, those leading the fight, for helping to set requirements.

□ 1245

In the area of policy, we required DOD to balance its desire for cutting-edge capabilities with the limits of its resources in setting military requirements. We require competitive acquisition strategies. We require DOD to get programs right in the early stages, when problems can be solved at a low cost. We also require DOD to put intense management focus on problem programs until they are either healed or terminated. We strengthen the Nunn-McCurdy process, and we ask DOD to eliminate or mitigate organizational conflicts of interests among its contractors.

Now, I know that many Members of the House have a deep interest in acquisition reform. Let me assure you that with the passage of this bill, the House Armed Services Committee has no intention of resting on its laurels. S. 454 deals almost exclusively with major weapons system acquisition, which is only 20 percent of the total that DOD spends on acquisition on an annual basis. There are also serious problems with the other 80 percent of the acquisition system and, as a result, the House Armed Services Committee established the Panel on Defense Acquisition Reform led by ROB ANDREWS and MIKE CONAWAY to investigate further improvements to the acquisition systems.

Mr. Speaker, I ask that the Members of this body vote for the conference report on S. 454, move this legislation to the President's desk for his signature this week, and continue to work with us on acquisition reform in this Congress.

With that, I reserve the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have some speakers on our side who have some time constraints, and I don't want to utilize a lot of time on my statement right now, so I just want to make a few opening comments, if I may.

First of all, it seems like only days ago that we were here doing the House version of this bill, and the reason for that is we were here only days ago doing the House version of this bill. The speed with which this legislation

has passed through both bodies, while not suggesting that it was done in haste, this is a well-crafted proposal, but rather suggests the importance of this acquisition reform initiative, recognizes, as well, the unanimity of feeling amongst all the Members of both the House and the Senate as to the task before us. And I think it's a tribute as well to the President, who called some of us down to the White House and told us that he fully supported this initiative and urged us to work as expeditiously as we could. Today's bill is a result of that effort, and I certainly want to start by thanking my dear friend, my partner, and my chairman, IKE SKELTON, the gentleman from Missouri, for providing his leadership that brought the House and, particularly, the House Armed Services Committee, into this very, very important discussion that has developed this very, very important piece of legislation.

As my distinguished chair said, we owe our thanks to many, and I want to give a special tip of the hat to as well, my friend, the gentleman from New Jersey (Mr. ANDREWS), my partner, our representative on the special panel, MIKE CONAWAY, the gentleman from Texas, and all of the special panel's members who really did an outstanding job in meeting with the department representatives and discussing the initiatives with representatives of industry and Members of both Houses of the legislature, and brought this important bill before us. It is a critical measure and it really is a best-of-all-worlds proposal. It portends the opportunity to save literally hundreds and hundreds of millions of taxpayer dollars, dollars that now probably go to expenses and to costs that should and could be avoided and, as well, ensures that every tax dollar we do spend goes appropriately to providing the best weapons systems we can to keep those brave men and women in uniform safe, who do such an amazing job with us.

I join my chairman, Mr. SKELTON, in urging all Members to soundly and enthusiastically, and with great pride, support this conference report. And we look forward to its carrying to the White House and its signature in the very near future.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, may I mention first that we did not rush to judgment on this issue. The gentleman from New York, my friend, the ranking member, JOHN MCHUGH, and I thought it best to establish a panel on military acquisition, which we did. And as a result of briefings and hearings headed by ROB ANDREWS, MIKE CONAWAY, the faith that Mr. MCHUGH and I had in the panel has been justified with the first work product of their efforts. That work product, of course, is the bill that stands before us today. And it has been a great bipartisan effort. It is also a monument to the outstanding staff work that we have across the board in the Armed Services Committee. We could not be more blessed.

With that, I yield 10 minutes to my friend and colleague, the chairman of the Armed Service Committee Special Oversight Panel on Defense Acquisition Reform, the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, it's my honor to rise in support of this legislation, and to thank the many people who made this possible, beginning, Mr. Speaker, with the chairman's friendship and mentorship and leadership. Mr. SKELTON is a gifted consensus builder and a great role model for many Members of this House, myself included. I thank him from the bottom of my heart for this opportunity.

To my very dear friend, Mr. McHUGH, whose expertise is matched by his good spiritedness and a sense of inclusiveness. The way that these two gentlemen work together, Mr. Speaker, is a model for how we ought to serve the public's problems, and I'm very grateful to serve with each of them.

I want to thank my friend, MIKE CONAWAY, from Texas, who is the ranking member of the special panel, who gave this effort a great deal of attention and diligence. And he and I, Mr. Speaker, know that our job is only about one-fifth done, and we look forward to proceeding in the weeks and months ahead.

We want to extend our appreciation to each of the members of the special panel, Republican and Democrat, who came to the meetings, expressed their views. Each of them had a hand in shaping this legislation. Many of them offered amendments at the full committee markup that found its way into the legislation.

As the chairman said, those of us who are elected have the privilege of standing out front in these efforts, but the truth of the matter is that the most diligent and skillful work is done by the staffs that serve us with such distinction. And I do want to join the chairman's comments and specifically thank Erin Conaton, who's the leader of the staff on the majority side. She has built a tremendous team and is a great resource to Members of this House.

Paul Oostburg, who is an able counsel in every respect, guides us through the legal thicket. Andrew Hunter did a tremendous job on this. He was always available, always a great resource, a person of just great, great diligence.

His counterpart on the minority side, Jenness Simler, we thank her for her equally effective and cheerful and resourceful efforts.

And I especially want to thank from my office staff, Nat Bell, who gave this around-the-clock attention, mastered the details in a very short period of time, and did just a terrific job.

Mr. Speaker, when the American people hear that nearly \$300 billion has been run up in cost overruns on major weapons systems, they're justifiably outraged. When we're paying \$300 billion more than we should be for major weapons systems, they understand that

we're not doing right by the people who wear the uniform, and we're not doing right by them.

As the chairman said, to understand the magnitude of this problem, if we had not squandered that \$300 billion in cost overruns we would have had enough to pay the salaries of the troops, the health benefits of the troops and their families, for more than 2 years. That's how much money that is, and it was squandered.

So, as a result of this effort, with the able leadership of Senators LEVIN and MCCAIN on the other side, we are going to present to the President today, by this vote, a solution to that problem. And here is the essence of that solution. When the public asks how do we really know how much these programs are going to cost, how effective they are, and when they're going to be done, for the first time, those questions will be answered by independent, qualified, accountable officials in the Department of Defense. Independent and accountable to the President, to the Congress and to the general public.

When people ask, you know, we've got a weapons system that doesn't appear to be working out very well in the early going. Its promise exceeded the early signs of its performance. For the first time, in that early stage, the weapons system will have to meet a rigid and severe burden before it can go on. And if the best judgment of the independent experts is it shouldn't go on, it won't, and we will not throw good money after bad.

When people ask the question, a weapons system has far exceeded its projected cost and it's taking far longer than it should, why should it continue to go on, for the first time, this legislation will say, well, it shouldn't. And if there's a different decision made, if there's an exception given to this weapons system so it can go on, the weapons system will be watched like a hawk, every day, every dollar, every step of the way, to make sure that if a weapons system is not terminated after poor performance, that it gets right, gets right in a hurry and stays right.

And finally, when people ask the question, whose interests are really being served in this process, are the decisionmakers really looking out for those who serve in the military of this country and use the systems? Are the interests of the taxpayers being looked after, or are there other interests at work? This legislation institutionalizes the rule that I think most of our decisionmakers in the Department of Defense have lived by as a matter of personal ethics; but it spreads that personal ethic into the law, and says, when you make decisions about protecting those who wear our uniform and spending our taxpayers money, you may serve only one master. Conflicts of interest will be rigidly monitored and prohibited as a result of this legislation.

Our work is just beginning. By passing this legislation, we are putting in

place a series of safeguards and checks so we can understand if it looks like a system has been overpromised and underperforming. It is our responsibility, once this system is in place, to learn from its lessons so that we can give those who wear the uniform of this country the best that they deserve, and pay for it with the price that the taxpayers deserve, with not a penny wasted.

It has been an honor to serve with my friends and colleagues in this process. We are eager to see this bill become law. We would urge a "yes" vote from both Republicans and Democrats.

Mr. McHUGH. Mr. Speaker, I would note the one Member that had a time constraint, Mr. COFFMAN from Colorado, not just a great and able member of our special panel, but also a veteran of both the United States Army and the United States Marine Corps, did have another appointment that he had to make and, therefore, was not able to stay with us to make his statement personally.

Mr. Speaker, I would like to now yield as much time as he may consume to one of the senior members of the House Armed Services Committee, and a gentleman who also wore the uniform of this Nation, United States Marine Corps, my friend, the gentleman from Minnesota (Mr. KLINE).

□ 1300

Mr. KLINE of Minnesota. Thank you, Mr. Speaker. I thank the gentleman from New York for yielding the time.

It seems sometimes like only yesterday when I was wearing that uniform and was serving in the Pentagon and in the Office of Secretary of Defense and dealing with the acquisition morass, and that's, in fact, what it was.

When you look at the history of how the Pentagon has gone about making these purchases, you see President after President, Secretary of Defense after Secretary of Defense, senior officials, Republicans or Democrats, recognizing that the system was broken. We were wasting money. Cost overruns were the norm. Yet, even recognizing that there was a problem and vowing to fix it, they couldn't do it. Try as they might, panel after panel, effort after effort, hiring different people, firing people, it continued year after year after year, cost overruns, stealing money away from the American people and delaying the delivery of weapons systems that our troops need now in a system that's just not functioning.

I know that I sensed the frustration personally as I was sitting there with them as they struggled with how to fix this. They couldn't do it.

So when I came to Congress, now going on 7 years ago, and I was fortunate and honored to join the House Armed Services Committee, I started raising that question and pointing out to witness after witness that we couldn't seem to fix this system. So I was delighted, absolutely delighted, when the chairman of the committee

and the ranking member, Mr. McHUGH, as has been discussed, said, You know what we're going to do? We're going to work on this from Congress, and we're going to do it the right way. We're going to take a blank piece of paper and put it down in front of a bipartisan panel, led by my able friend from New Jersey, Mr. ANDREWS, by my friend from Texas, Mr. CONAWAY, by a wonderful panel of people, and by great staff, as has already been mentioned and commended by a number of speakers. They said, Go and see what you can do to fix this problem. Focus in on major acquisitions programs, and go fix it. A blank piece of paper. A bipartisan effort.

As a result of that, we have legislation that is going to be passed—I trust overwhelmingly—because I don't know of anyone, frankly, in this body or in the other who doesn't think this is a great idea and that it needs to be done. We're going to pass this legislation and get it to the President, and we're going to change the law and provide some help to the very able people in the Pentagon who have been wringing their hands and who have been struggling on how to fix this for literally decades.

So this piece of legislation went through rapidly, as has been pointed out, but not in haste. It was put together the right way. The problem was recognized across the board. We had a hearing, which I thought was a tremendous hearing, with a panel of real experts. They agreed that this was the right way to go. I remember asking a question because I thought it was an important one as we look at legislation like this.

I said, Does this do any harm? Absolutely not, was the answer.

This is what we ought to be doing. I'm very proud to support it. I hope all of my colleagues will support it. As has been suggested, I hope this is the model for how this House will work in the future—with a blank piece of paper and with a bipartisan effort to draft legislation that comes out to be good legislation that is good for America.

So, again, I want to thank those who did the work. I want to encourage all of my colleagues to support this legislation.

Mr. SKELTON. At this time, I yield 3 minutes to my friend, my colleague, the distinguished member of the Armed Services Committee, the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I thank the gentleman for yielding.

I want to begin by commending and recognizing the hard work done by Ike SKELTON as well as my colleague and friend from New Jersey, Mr. ANDREWS, as well as my colleagues on the other side of the aisle, Mr. McHUGH, Mr. CONAWAY, and others.

Mr. Speaker, I rise today to urge passage of the Weapons Acquisition Systems Reform Through Enhancing Tech-

nical Knowledge and Oversight Act of 2009, or the WASTE TKO Act.

Again, I want to thank the chairman of the Armed Services Committee, Ike SKELTON, for his outstanding leadership in addressing this critical issue and for bringing this bill to the floor so quickly and with such strong support. I was honored to be a part of the conference committee, and I am happy to see such a strong bipartisan bill come back to the House for final passage.

In today's world, we face a difficult balance between keeping our Nation safe and operating within the fiscal constraints of our current economic climate. The taxpayers truly are demanding that we always be good stewards with their dollars. We can all understand the outrage of the American people when they hear about billions and billions of dollars in cost overruns in weapons acquisitions programs, and we can understand their demand for change, and that's what this bill truly brings, accountability and change to our weapons acquisitions process.

The WASTE TKO Act is part of a broader effort by the administration to tackle cost growth through ensuring accurate performance assessments, providing intensive care to "sick" programs and fighting cost growth in the early stages of development. Along with our efforts in the Congress, the Defense Department plans to add 20,000 personnel over the next 5 years to help implement reforms in government contracting. This dual effort is a positive sign of change that will ultimately help keep our Nation safer and more agile in its warfighting efforts.

Specifically, this bill will bring oversight to the muddled process of performance assessments by requiring the Secretary of Defense to designate a principal official to provide unbiased evaluations on the success of our acquisitions programs. The bill will also mandate additional reviews for programs that fail to meet development requirements or that have extreme cost growth problems.

Now, when cost overruns and schedule delays continue to haunt a program, it threatens the ability to provide our men and women in uniform with the best equipment possible to protect our Nation. This bill goes a long way towards increasing effective congressional oversight, and it will help us to continue to be responsible stewards of U.S. taxpayer dollars.

I urge my colleagues to join me in supporting this legislation. A lot of hard work went into crafting this strong bipartisan measure.

Again, I want to thank Chairman SKELTON, Ranking Member McHUGH, Mr. ANDREWS, Mr. CONAWAY, and all of the members of the team who were part of this effort. I'm proud to support this important piece of legislation.

Mr. McHUGH. Mr. Speaker, when we try to find the right people for the right job, be it in the private sector—and it works this way in Congress as well—sometimes they're unavailable.

The best people are always the busiest people.

I think one of the critical challenges and primary challenges that both the chairman and I had was in making sure that the heads of the special panel were two individuals who had the power, the intellect, the understanding from the real world of life experiences, and a recognition as to the importance of the challenge.

We are very blessed, certainly, with the agreement of Mr. ANDREWS to head and chair the subcommittee panel. As well on our side, the first person I thought of was MIKE CONAWAY. MIKE does have those qualifications of intellect, of the ability to relate to concepts and to real applications. As well, he has brought to this effort his service as an NCO in the United States Army.

It is my privilege and my honor and with a great deal of thanks to yield as much time as he may consume to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Speaker, I want to thank Ranking Member McHUGH for those very kind words. It kind of caught me off guard. Thank you. I appreciate that.

I rise today to urge the swift passage of the conference report on S. 454, the Weapon System Acquisition Reform Act of 2009. This conference report represents thoughtful compromises that will enable the Department of Defense to better plan for the future and to acquire the combat systems that it needs to make our military as effective as it needs to be at a cost that we can afford.

As always, I would like to thank the leadership of the Armed Services Committee for their commitment to the men and women of our Armed Forces. Chairman SKELTON and Ranking Member McHUGH lead our committee with purpose and with poise, and they never forget that our first responsibility is to protect our soldiers, sailors, marines, and airmen who are serving our Nation around the globe.

I also want to thank the chairman on the House Defense Acquisition Reform Panel, Chairman ROB ANDREWS from New Jersey. It has been my privilege to partner with him as we work to bring these needed reforms to the Defense Department in how it spends our limited resources.

While all the thanking of the members is certainly appropriate, I don't think you can overstate the work that our staffs do on behalf of the acquisitions panel. I want to thank Andrew Hunter on the majority's staff and Jenness Simler on our side for the great work that they've done. I also want to thank, on my personal staff, Tony Cianciolo, who is an Air National Guard fellow in my office for a year, and he is doing outstanding work on behalf of this country.

As a member of the acquisitions panel, I've spent the last few months immersed in the details of the weapons system and in the weapons acquisition system. It is nothing if it is not spectacularly complicated. It is clear to me

that the oversight of this process must be a never-ending commitment on the part of Congress. Yet, as the changes we are implementing here today mature, I urge that we remain vigilant but also patient. The number of the cost overruns that has been touted during the discussion of this panel is real, but I worry, as all of us have, that that number is artificially high because of underestimates on the front end of weapons systems decisions.

This legislation, I think, goes a long way toward helping us cure a natural tendency to under-represent costs on the front end in order to get a program or a weapons system started. Then we are saddled with that decision when we come on to the real costs and to the realization that the real expense of a particular system turns out to be greater than what we estimated on the front end because of a tendency to be optimistic as to time frames as well as to expenditures on those front ends. So this legislation goes a long way toward fixing that.

I also want to add a word of caution, and that is that we allow these changes to mature somewhat before we begin to tinker with them again. We've got great acquisition people staffing the system from top to bottom. As Mr. LANGEVIN mentioned, there is going to be a 20,000 increase in those competent professionals as we go forward. We need to let them work with the system long enough so that we can, in effect, evaluate whether or not these new changes work and if they do the things we want them to do. So it will be an ever-changing system, but we in Congress here look for the results. So be a little bit patient as we change the systems acquisition process again.

That leaves us then with the bulk of the spending that's done, which is on services. My colleague and chairman of our acquisitions panel will continue to push forward on the review for how the DOD acquires services. It is a very mundane, everyday deal, but as to the scope and the reach of DOD, just think about how they all have cell phones and the decisions that are made across the thousands and thousands and thousands of installations across this world that need cell phone coverage. Somebody somewhere has got to decide on that contract. That's our next work, and it's going to be as difficult and daunting, I think, to understand that system and to see where it's working correctly, to see where we can help change it for the better and to see those places where it isn't working correctly.

I've got great confidence in my chairman on the subcommittee, on the panel. Collectively, we're working in a bipartisan approach as we've done so far. I agree with the other speakers that this is a great example of how this House, this body, can in fact work on issues that don't require us to wear a jersey that has got a particular color on it when we go about the decisions of trying to defend this country and put

weapons in the hands of young men and women who lay their lives on the line to protect this country. So I'm proud to be a part of this process.

S. 454 will begin the process of fundamentally altering how the Defense Department procures major weapons systems desperately needed by our warfighters. It's important legislation that I am pleased to support today. I urge my colleagues to vote in favor of this conference report.

Mr. MCHUGH. Mr. Speaker, we have no further speakers. So with the majority's permission, I'll just say a few words in closing.

I would be remiss if I did not send my best wishes, appreciation and expression of admiration to our Senate colleagues, particularly Senators LEVIN and MCCAIN, who led the fight on acquisition reform.

As I noted to them in a meeting we had with the President at the White House, they really did help us hear the call to arms on this initiative. As we went forward, they were true and very active and very productive partners in making sure we could reach a conference report that truly does, as the bill before us speaks very clearly toward, embody the best provisions of the House bill and the Senate bill.

□ 1315

Lastly, I want to add my words of deep appreciation to those who, day in and day out, make our committee, and ultimately make every committee, in the House of Representatives work, and that is our invaluable staff people as all of the other speakers have mentioned. I've said in the past, they labor quietly in the shadows and we are able to step out in the sunlight that they provide through their hard work and bask in their glory. And their hand prints and their diligence and terrific effort is in every line of this bill.

So in closing, I would simply say again, congratulations to my friend, the distinguished chair, Mr. SKELTON, and strongly urge all of our Members to step forward and to proudly support this bill. And we can do something important for the war fighters and the taxpayers of this great country.

And I would yield back the balance of my time.

Mr. SKELTON. Mr. Speaker, first, I must thank my friend, my colleague, the gentleman from New York, for his outstanding leadership, cooperation, intelligence and integrity. This bill is a great reflection of bipartisan hard work in our committee. And I thank, in particular, the gentleman from New York (Mr. MCHUGH).

Mr. Speaker, as we are on the brink of passing legislation that will completely reform the acquisition system of involving major weapon systems in the Department of Defense, I think back to the moment we were preparing to pass a bill known as the Goldwater-Nichols bill which dealt with jointness within the military. We knew what it said. We wrote it. But we had no idea

that it would actually have a tremendous impact creating the culture of jointness within the various stovepiped services that existed prior to that day in 1986.

This reform act will do the same. It is not only landmark legislation, it is not only reform legislation, it is legislation that will change the culture of acquisition for major weapon systems. It's good. It's thorough. It's well thought out.

And I cannot close without saying a special word about our staff. It's very difficult, Mr. Speaker, to single out people who work so hard because you're bound to leave some out. But we must mention Erin Conaton, Bob Simmons, Andrew Hunter, Jenness Simler, Cathy Garman, Joe Hicken, and all of the efforts that they put forth, the tireless nights in drafting and redrafting the legislation before us today. So a special tribute goes to them.

So with that—and thanks to our colleagues on both sides of the aisle, Bob Andrews, Mike Conaway, and all of those who work so hard for this—let's get it passed, let's get it to the President for his signature, and let reform take place and change the acquisition culture that is so sorely needed.

Mr. COFFMAN of Colorado. Mr. Speaker, I stand before you today to express my strong support for this important piece of legislation. As a member of the House Armed Services Committee, and a member of the Acquisition Reform Panel, I was honored to be appointed to this Conference Committee.

As an active participant on the panel, I appreciate this opportunity to help "fix" an obviously flawed defense acquisition system. My emphasis on the Panel has been how to achieve the best use of taxpayer dollars to provide the right equipment, at the right time for our marines, soldiers, sailors, and airmen.

Maintaining a strong national defense, while maximizing taxpayer dollars, and reining in out of control cost growth in the development of major weapons systems. As a combat veteran, I realize from personal experience just how critical a well-functioning acquisition system is to our nation's servicemembers—especially our warfighters in the field.

We must always fully take the "end user" into account whenever we address the acquisition process and to this end, I was pleased my amendment giving the Combatant Commanders a more defined role and input into the process was included. This legislation institutes a much-needed level of focus and precision regarding the input sought from Combatant Commanders to best inform the Joint Requirements Oversight Council as to whether a new program is truly needed and what its benefit to the warfighter will be. Such precise input aims to prevent the DOD from going down the road of spending billions of dollars on unnecessary programs of no real value to those in the field.

S. 454 addresses acquisition organization, oversight of cost estimation, performance assessment, and weapons acquisition oversight, and fully takes into account the current problems within the Department of Defense Acquisition process.

I urge my colleagues to vote in favor of this well-crafted and critical piece of legislation.

Mr. LARSEN of Washington. Mr. Speaker, I rise today to express my support for the Conference Report on the Weapons Acquisition System Reform Through Enhancing Technical Knowledge and Oversight Act (WASTE TKO Act). This legislation will reform how the Department of Defense purchases weapons and help ensure the strong oversight of our defense budget that taxpayers deserve.

In recent years, the Defense Department's spending plans have been unrealistic and unsustainable. Much of the growth in our defense budget has been driven by weapons programs that cost too much and take too long to develop. According to a Government Accountability Office study released this year, cost overruns from ninety-six Department of Defense weapons programs have totaled \$296 billion. These same programs were, on average, 21 months behind schedule. President Obama has said that procurement reform could save taxpayers as much as \$40 billion each year.

Our current approach asks, "how much money can we get for the weapon?" But we ought to ask, "how much weapon can we get for the money?" Every dollar that we spend on an over-budget weapons system is a dollar that cannot be used to support the urgent needs of our servicemembers and their families. Cost overruns alone would pay the salaries for our active-duty military and health care for them and their families for two and a half years.

The WASTE TKO Act will address deep-seated and systemic problems in how we procure weapons. This bill will require the Department of Defense to provide more realistic estimates of how much weapons will cost and punish those programs which are failing to meet schedule and cost goals. This legislation will demand additional focus during the early stages of weapons development, when small program changes can have major long-term consequences. When it comes to defense procurement, an ounce of oversight is worth a pound of cure.

I applaud Chairman IKE SKELTON, Ranking Member JOHN MCHUGH, and the Members of the Armed Services Committee's Defense Acquisition Reform Panel for their work to develop this legislation.

As a member of the House Budget Committee and the Armed Services Committee, I am committed to providing for a strong national defense that gives our women and men in uniform the tools they need to do their jobs, while delivering strong oversight of the defense budget that reins in out-of-control spending on major weapons systems. I urge my colleagues to join with me in supporting a strong national defense and accountability of taxpayer dollars by voting yes on the WASTE TKO Act.

Mr. SKELTON. With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. SKELTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the conference report will be followed by a 5-minute vote on the motion to suspend the rules on H.R. 1676.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 286]

YEAS—411

Abercrombie  
Ackerman  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Austria  
Baca  
Bachus  
Baird  
Baldwin  
Barrow  
Bartlett  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Blackburn  
Blumenauer  
Blunt  
Bocchieri  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Bright  
Broun (GA)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp  
Campbell  
Cantor  
Cao  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castle  
Castor (FL)  
Chaffetz  
Chandler  
Childers  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Cooper

Costa  
Costello  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Dreier  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Fallin  
Farr  
Fattah  
Filner  
Fleming  
Forbes  
Fortenberry  
Poster  
Foster  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herseth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono

Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kanjorski  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo  
Loebach  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lujan  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McHugh

McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murtha  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Nye  
Oberstar  
Obey  
Olson  
Olver  
Ortiz  
Pallone  
Pascarella  
Pastor (AZ)  
Paul  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)

Polis (CO)  
Pomeroy  
Posey  
Price (NC)  
Putnam  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Skelton

Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Space  
Spratt  
Stearns  
Stupak  
Reyes  
Sullivan  
Sutton  
Tanner  
Tauscher  
Taylor  
Teague  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Ross  
Tiahrt  
Tiberi  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Turner  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Walden  
Walz  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Westmoreland  
Wexler  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (FL)

NOT VOTING—22

Aderholt  
Bachmann  
Barrett (SC)  
Bishop (UT)  
Deal (GA)  
Doyle  
Driehaus  
Flake  
Grijalva  
Herger  
Kaptur  
Lummis  
Markey (CO)  
Murphy, Tim  
Price (GA)  
Rooney  
Sánchez, Linda  
T.  
Speier  
Stark  
Thompson (PA)  
Wilson (OH)  
Young (AK)

□ 1345

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MARKEY of Colorado. Mr. Speaker, had I been present for the vote on S. 454, I would have voted in favor of the bill. As my daughter and son are graduating from college and high school respectively, I am unable to be present for the vote.

Mr. PRICE of Georgia. Mr. Speaker, on roll-call No. 286 I was unavoidably detained. Had I been present, I would have voted "yea."

#### PREVENT ALL CIGARETTE TRAFFICKING ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1676, as amended, on which the yeas and nays were ordered.